



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.298 of 2020

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M.Uma Maheswari

... Petitioner

-vs-

1.The Superintendent of Police
Thanjavur District, Thanjavur

2.The Inspector of Police
Pattukottai Police Station
Pattukottai
Thanjavur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the detenu or body of the detenu i.e., the petitioner's minor daughter namely Kaviya Sri, aged about 16 years, daughter of Mathiyalagan, before this Court and set her at liberty forthwith.

For Petitioner : Ms.P.Krishnaveni

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor

O R D E R

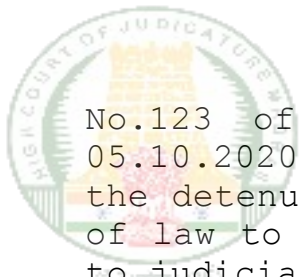
[Order of the Court was made by K.KALYANASUNDARAM, J.]

The petitioner has filed this habeas corpus petition seeking direction to the respondents to produce her minor daughter, namely, Kaviya Sri, aged about 16 years, before this Court and set her at liberty forthwith.

2. According to the petitioner, the detenu is aged about 16 years and she is found missing from 24.03.2020.

3. Today, the detenu appeared before this Court through Video Conferencing. On enquiry, the detenu informed that she is willing to go with her monther / petitioner herein, who has also readily accepted her willingness.

4. Mr.K.Dinesh Babu, learned Additional Public Prosecutor, on instructions, submitted that on the complaint lodged by the petitioner, the respondent Police registered a case in Crime



No.123 of 2020 as woman missing and secured the detainee on 05.10.2020 along with one Vijay. After ascertaining the fact that the detainee is a minor, the respondent Police altered the Sections of law to the provisions of POCSO Act and remanded the said Vijay to judicial custody.

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5. In the light of the above facts, the habeas corpus petition is closed as no further orders are necessary.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

KRK

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

- 1.The Superintendent of Police,
Thanjavur District, Thanjavur.
- 2.The Inspector of Police,
Pattukottai Police Station,
Pattukottai,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.298 of 2020
09.10.2020

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